

Stamp of the United States Patent and Trademark Office Box Patent Application
acknowledging receipt of the following items is requested:

Docket No. BBI.13

Inventor: Richard C. Davis et al.

Title: BARRIER DEVICE AND METHOD FOR BUILDING BARRIER WALL

* Transmittal (2)

* Response to Office Action (5 pages)

* Marked up version of amended claims (3 pages)

* Postcard

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DOC S. Plaintiff
Wildman Harrold, Allen & Dixon
225 North Wacker Drive
Chicago, IL 60606-1229



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard C. Davis et al.) BARRIER DEVICE AND
Serial No.: 09/849,964) METHOD FOR BUILDING
Filed: May 4, 2001) BARRIER WALL
) Attorney Docket: BBI.13
)

Assistant Commissioner for Patents
Washington, D.C. 20231
Box AF

AMENDMENT TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Please find enclosed the following documents pertaining to the above-referenced application:

1. Response to Office Action (5 pages)
2. Marked up version of amended claims (3 pages)
3. Return postcard.

The Assistant Commissioner is hereby authorized to charge any necessary fees to Deposit Account 232126. In the event of non-payment of improper payment of a required fee, the Assistant Commissioner is hereby authorized to charge or credit Deposit Account No. 232126 as required to correct the error. A duplicate copy of this letter is enclosed for fee purposes.

Date: 3/11/03

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Telephone: (312) 201-2000
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Respectfully submitted,

By: _____

Douglas S. Rupert
Attorney for Applicant
Reg. No. 44,434

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard C. Davis et al.)
Serial No.: 09/849,964)
Filed: May 4, 2001)
BARRIER DEVICE AND
METHOD FOR BUILDING
BARRIER WALL
Attorney Docket: BBI.13

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION

Dear Sir:

This paper is filed in response to the Office Action mailed December 11, 2002 in connection with the above-referenced application. A response to the Office Action is due on March 11, 2002. Therefore this response is timely filed.

Amendments

Please amend the above-identified application as follows:

In the Claims

Please cancel claim 98 presently on file.

Please amend claims 86, 111, and 129 and add claims 130 and 131 as follows:

86. (Twice Amended) A barrier wall, comprising:

a first barrier device having a first containment chamber, a second containment chamber and a connector; and

a second barrier device having a containment chamber positioned between the first containment chamber and the second containment chamber of the first barrier device and positioned in overlying relationship to the connector; wherein the containment chamber of the second barrier device is in contact with the first containment chamber and the second containment chamber of the first barrier device, and wherein the first and second containment chambers of the first barrier device are spaced apart a distance less than a width of one of the first and second containment chambers.

111. (Twice Amended) A method, comprising the steps of:

positioning a first barrier device, having a first containment chamber, a second containment chamber, and a connector on a support surface; and

positioning a portion of a containment chamber of a second barrier device in contact with the first containment chamber and the second containment chamber of the first barrier device and in overlying relationship to the connector, wherein the first and second containment chambers of the first barrier device are spaced apart a distance less than a width of one of the first and second containment chambers.

129. (Amended) A barrier device, comprising:

a first containment chamber which comprises a first bag;

a second containment chamber which comprises a second bag; and

a connector positioned between the first bag and the second bag that secures the first containment chamber to the second containment chamber; wherein a ratio of a width of the connector to a width of one of the first containment chamber and the second containment chamber is approximately $2/\pi$.

130. (New) A barrier wall, comprising:

a first barrier device having a first containment chamber, a second containment chamber and a connector; and

a second barrier device having a containment chamber positioned between the first containment chamber and the second containment chamber of the first barrier device and positioned in overlying relationship to the connector; wherein the containment chamber of the second barrier device is in contact with the first containment chamber and the second containment chamber of the first barrier device, wherein the first and second containment chambers of the first barrier device are spaced apart a distance less than a width of the containment chamber of the second barrier device.

131. (New) A barrier wall, comprising:

a first barrier device having a first containment chamber, a second containment chamber and a connector; and

a second barrier device having a containment chamber positioned between the first containment chamber and the second containment chamber of the first barrier device and positioned in overlying relationship to the connector; wherein the containment chamber of the second barrier device is in contact with the first containment chamber and the second

containment chamber of the first barrier device, wherein a ratio of a width of the connector of the first barrier device to a width of the containment chamber of the second barrier device is $2/\pi$.¹

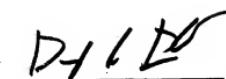
Remarks

The Office Action notes that claims 1-3, 6-54, 56-70, 72-87, 89-112, and 114-129 are pending in the application. By this amendment claims 86, 111, and 129 have been amended, claims 130-131 have been added, and claim 98 has been cancelled. Therefore claims 1-3, 6-54, 56-70, 72-87, 89-97, 99-112, 114-131 are pending in the application. Support for the amended claims and the new claims can be found throughout the specification, claims, and drawings originally on file. Therefore no new matter has been added.

The Office Action indicates that all claims pending through claim 85 are allowable. Accordingly, the applicant maintains these in their present form. The Office Action further indicates that dependent claims 98-100 would be allowable if rewritten in independent form. In response, the Applicant hereby amends claim 86 to include the features of cancelled dependent claim 98. In addition, the Applicant has added new independent claims 130-131 which include the features of dependent claims 99-100 respectively. The applicant has also amended independent method claim 111 to correspond to apparatus claim 86. Finally, the applicant has amended independent claim 129 to include the allowable features of allowed claim 1. Accordingly, the Applicant respectfully submits that all pending claims are allowable.

In view of the aforesaid, the applicant respectfully submits that all of the pending claims are now in a condition for allowance. Favorable reconsideration is hereby requested.

Respectfully submitted,



Douglas S. Rupert
Attorney for Applicants
Reg. No. 44,434

Dated: 3/11, 2003

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Assistant Commissioner for Patents
Washington, D.C. 20231

**VERSION WITH ADDITIONS SHOWN UNDERLINED AND DELETIONS SHOWN IN
STRIKETHROUGH**

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111. (Twice Amended) A method, comprising the steps of:

positioning a first barrier device, having a first containment chamber, a second containment chamber, and a connector on a support surface; and

positioning a portion of a containment chamber of a second barrier device in contact with the first containment chamber and the second containment chamber of the first barrier device and in overlying relationship to the connector, wherein the first and second containment chambers of the first barrier device are spaced apart a distance less than a width of one of the first and second containment chambers.

129. (Amended) A barrier device, comprising:

a first containment chamber which comprises a first bag;

a second containment chamber which comprises a second bag; and

a connector positioned between the first bag and the second bag that secures the first containment chamber to the second containment chamber; wherein a ratio of a width of the

connector to a width of one of the first containment chamber and the second containment chamber is approximately $2/\pi$ wherein a width of one of the first bag and the second bag is greater than a width of the connector.